

Appeal Decision

Site visit made on 5 January 2017

by David Smith BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th January 2017

Appeal Ref: APP/W5780/D/16/3159855

28 Easternville Gardens, Newbury Park, Ilford, Essex, IG2 6AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Qadir Ahmed against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3428/16, dated 15 July 2016, was refused by notice dated 24 August 2016.
 - The development proposed is a rear extension with sloping roof.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a rear extension with sloping roof at 28 Easternville Gardens, Newbury Park, Ilford, Essex, IG2 6AB in accordance with the details submitted pursuant to Paragraph A.4(2) of the Order.

Reasons

2. The proposed single storey extension would occupy the full width of this mid-terraced dwelling. It would project 4.5m from the rear main wall. In considering 'larger home extensions' there is a requirement to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises. Account should be taken of any representations made but Paragraph A.4(9) establishes that the amenity of all adjoining premises should be considered and not just those which are the subject of representations. As the prior approval process has been triggered I shall therefore have regard to the effect on the adjoining properties at 26 and 30 Easternville Gardens.
3. No 26 has a single storey rear addition with an approximate depth of 3m and a central bay. Because of the limited projection of the proposal beyond this adjoining extension the impact on amenity would be insignificant. There is also an extension at No 24 to a depth of about 5.5m so that the house at No 26 would have built development along both side boundaries. However, as the length of the existing extension at No 26 would only be marginally exceeded, the house and garden would not be seriously 'boxed in'.
4. On the other side No 30 has not been extended at the rear but the Council has given prior approval for a 4.5m addition which is the same depth as the proposal. There is no certainty, of course, that this will go ahead and so I shall therefore have regard to the existing situation.

5. Closest to the boundary on the ground floor is a window and door serving what appears to be the kitchen. At the time of my visit blinds and a grille were in place and there is also a solid boundary fence. The proposal would lead to some curtailment of sunlight to the rear of No 30 and to an increased sense of enclosure with a loss of outlook. In deciding whether these effects would be tolerable in this setting I give significant weight to the fact that the Council has recently accepted a development of the same length along the boundary with No 28. If it had been constructed first this would have had a similar effect on the appeal dwelling as the proposal would have on No 30. As such, the impact on amenity would be acceptable and the size of the extension is not excessive.
6. Therefore, for the reasons given, I conclude that the appeal should be allowed and approval granted.
7. The appellant should, however, note that the Order requires at Paragraphs A.4(13), (14) and (15) that the development must be completed on or before 30 May 2019 and that the developer must notify the local planning authority of the completion of the development as soon as reasonably practical after completion. Such notification must include the name of the developer, the address of the development and the date of completion.

David Smith

INSPECTOR